

### **REMARKS**

The Applicants wish to thank the Examiner for his willingness to discuss the Office Action mailed 07/28/2004 by phone with the Applicants on 14 October 2004. In that phone conversation the Greenhalgh patent (US Pat No. 6,192,944) and the Schmitt patent (US Pat No 5,383,925) were discussed. The Applicants feel that the Greenhalgh attaching fiber, number 42, which is an axial fiber cannot be considered a circumferential structural fiber that is intended to provide kink resistance as described by the Applicants' invention and claims because it is only intended to hold his stent (number 26) in place. The Greenhalgh stent is actually his structural member that provides the kink resistance and structure that our circumferential structural strands provide. One would not desire to put the Greenhalgh attaching strand 42 on a circumferential direction as described by Schmitt in his braided device because Schmitt teaches that such a braided device tends to form a scissor action due to axial and diameter flexation that is harmful to graft healing; Schmitt teaches a device that overcomes this scissor action by making the wall have multiple layers throughout its thickness. There would be no reason to put the Greenhalgh strand 42 into a circumferential direction as described by the Applicants.

Upon further discussion with the Examiner two issues were discussed with the Examiner that added clarity to the Applicants' invention and helped the Applicants to better describe the invention to the Examiner. The Applicants have described in the newly amended independent claims that the circumferential structural strands are different than the flexible strands and that they have a significant amount of circumferential componency in order to provide the kink resistance character that is important to successful graft function. Additionally, when the tubular member is used in an endovascular manner, the circumferential structural strands provide the force to hold the tubular member out against the blood vessel wall. The Applicants have amended the independent claims to better describe the invention. The support for the newly constructed claims can be found in the specification on the following pages. On

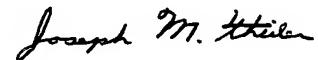
page 84, lines 15-18 the Applicants describe the generally circumferential direction of the strands and on page 22, lines 15-19 the Applicants describe substantial circumferential direction. On page 92, lines 2-18 and on page 91, lines 18-21 the Applicants describe the outward expansion force provide by circumferentially directed strands. On page 10, lines 10-11 the Applicants refer to circumferentially oriented strands to provide anti-kink and anti-crush characteristics.

The Applicants would appreciate any further assistance provided by the Examiner to put the current claims in a condition for allowance.

Respectfully submitted,



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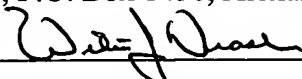
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#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service using Express Mail Post Office on the date indicated here and addressed to: Mailstop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA., 22313-1450, on 26 October, 2004.

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